

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

DAVID BOOTH
Plaintiff,

-vs-

Case No. C-1-03-660

ROADWAY EXPRESS, INC, et al.

JUDGMENT IN A CIVIL CASE

Jury Verdict.

This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that the Report & Recommendation of the Magistrate (doc. 39) is ADOPTED. Defendants Motion for Summary Judgment (doc. 30) is GRANTED. Plaintiff's Motion for Summary Judgment (doc. 31) is DENIED. This case is DISMISSED AND TERMINATED on the docket of this Court at plaintiff's cost.

Date: July 21, 2005

JAMES BONINI, CLERK

By:s/ Paul Hennessey
Paul Hennessey, Deputy Clerk

